

THURSDAY, APRIL 12, 2012

SEVENTY-SECOND LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Reverend Dr. Chestina Archibald, Nashville, TN.

Representative Favors led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 95

Representatives present were Alexander, Armstrong, Bass, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative H. Brooks; personal

Representative Ford

Representative McDonald; business

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 808 Rep(s). Parkinson, Hardaway, L. Miller, Richardson, Camper, Kernell, Shepard and Coley as prime sponsor(s).

House Joint Resolution No. 874 Rep(s). Elam as prime sponsor(s).

House Joint Resolution No. 875 Rep(s). Elam as prime sponsor(s).

House Joint Resolution No. 876 Rep(s). Elam as prime sponsor(s).

House Joint Resolution No. 888 Rep(s). Haynes as prime sponsor(s).

House Joint Resolution No. 900 Rep(s). L. Miller as first prime sponsor(s).

House Joint Resolution No. 901 Rep(s). L. Miller as first prime sponsor(s).

House Joint Resolution No. 908 Rep(s). L. Miller as first prime sponsor(s).

House Joint Resolution No. 909 Rep(s). L. Miller as first prime sponsor(s).

House Joint Resolution No. 912 Rep(s). Ramsey as prime sponsor(s).

House Joint Resolution No. 913 Rep(s). Alexander as prime sponsor(s).

House Bill No. 1954 Rep(s). Towns as prime sponsor(s).

House Bill No. 2387 Rep(s). D. Miller as prime sponsor(s).

House Bill No. 2895 Rep(s). Favors, Brown and B. Cooper as prime sponsor(s).

House Bill No. 3062 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 3146 Rep(s). Todd and Dean as prime sponsor(s).

House Bill No. 3420 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 3760 Rep(s). Hurley, Alexander, Marsh, Sexton, Matheny, Ford, Dean, Wirgau, Sparks, Watson, Powers, Ragan, Holt, Halford, Dennis, Swann, Forgety, Towns, White, Harrison, Rich, Shaw, Elam, R. Williams, Hill, Haynes, D. Miller, Butt, Gotto, Dunn, Windle, Todd, Floyd, Pody, Shipley, Hall, Lundberg, Tidwell, P. Johnson, Hawk, Shepard, McDaniel, Sanderson, Keisling, Coley, L. Miller and K. Williams as prime sponsor(s).

House Bill No. 3761 Rep(s). Pruitt, Odom, Pitts, Stewart, Moore, Towns, Shepard, Camper, B. Cooper, Brown, Sontany, L. Miller, S. Jones, Shaw, Curtiss, Tindell, Armstrong, Fitzhugh, Naifeh, Parkinson, Hardaway, Hall, Faison, Ragan, Hensley, Swann, Halford, Floyd, Shipley, Hill, Gilmore, Womick, Carr, Niceley, Hawk, Coley, Hurley, Rich, D. Miller, Dean, Cobb, Lollar, Keisling, White, Gotto, R. Williams, Wirgau, Holt, Butt, Pody, Weaver, Powers, Elam, Forgety, Sexton, Roach, Montgomery, Dunn, Tidwell, Haynes, K. Williams, Harrison, Windle, Todd, Maggart, Matheny, McManus, Watson, H. Brooks, Sargent, Favors, J. DeBerry, Dennis, C. Johnson, Sparks, Lundberg, Sanderson, Kernell and Richardson as prime sponsor(s).

House Bill No. 3765 Rep(s). Hardaway as prime sponsor(s).

MESSAGE FROM THE SENATE
April 12, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2462; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 2462 -- Sunset Laws - As introduced, extends the department of human services, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Bell. (*HB2508 by *Cobb, *Shipley, *Rich)

MESSAGE FROM THE SENATE
April 12, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3062; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 3062 -- Special License Plates - As introduced, authorizes issuance of Teamsters cultural license plates. - Amends TCA Title 55, Chapter 4. by *Barnes, *Ford, *Kyle, *Marrero, *Harper, *Tate. (*HB3280 by *Moore)

MESSAGE FROM THE SENATE
April 12, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3345; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 3345 -- Schools, Charter - As introduced, regulates charter schools' relationships with foreign entities and the use of non-immigrant foreign workers by charter schools. - Amends TCA Title 49, Chapter 13. by *Ketron, *Summerville, *Tate, *Tracy, *Crowe. (*HB3540 by *Matheny, * Brooks K, *Forgety, *Powers, *Ragan, *Williams R, *Dunn, *Carr, *Miller D, *Weaver, *Holt)

MESSAGE FROM THE SENATE
April 12, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3602; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 3602 -- Police - As introduced, adds to definition of "police officer" for purposes of traffic control or regulation only a person who retired in good standing from being a commissioned, POST-certified law enforcement officer and who has notified the chief law enforcement officer. - Amends TCA Title 55 and Title 62. by *Haynes, *Harper. (*HB3146 by *Moore, *Gotto, *Watson, *Todd, *Dean)

MESSAGE FROM THE SENATE
April 12, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 785; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 785 -- Memorials, Public Service - Senator Eric Stewart. by *Finney L, *Kyle, *Berke, *Marrero, *Burks, *Herron, *Tate, *Henry, *Haynes, *Harper, *Ford, *Barnes.

MESSAGE FROM THE SENATE
April 12, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2215; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 12, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3009; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Womick was recognized in the Well in order to introduce the Riverdale High School Lady Warriors' Basketball Team.

RESOLUTION READ

The Clerk read House Joint Resolution No. 860, previously adopted on April 5, 2012, which honored and congratulated head coach John Wild and the Riverdale High School Lady Warriors basketball team on winning the 2011-2012 TSSAA AAA State Championship.

House Joint Resolution No. 860 -- Memorials, Sports - Riverdale High School Lady Warriors Basketball Team, Class AAA State Champions. by *Womick, *Carr, *Sparks.

RECOGNITION IN THE WELL

Representative McDaniel was recognized in the Well to present the series *Images of the Civil War Sesquicentennial* which featured narration by Representatives Powers and Tindell.

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RECESS MOTION

Rep. M. Turner, seconded by Rep. McCormick, moved that the House stand in recess for 15 minutes.

RECESS EXPIRED

The recess having expired, the House was called to order by Madam Speaker Harwell.

ROLL CALL DISPENSED WITH

On motion of Rep. K. Brooks, the roll call was dispensed with.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 911** -- General Assembly, Statement of Intent or Position - Urges the state board of education to establish a green cleaning policy for adoption by schools. by *Gilmore.

House State and Local Government Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 16, 2012:

House Resolution No. 242 -- Memorials, Recognition - Old Oak Festival. by *Hawk.

House Resolution No. 243 -- Memorials, Interns - Melinda Price. by *Niceley, *Halford, *Keisling.

House Resolution No. 244 -- Memorials, Interns - Shelby Stephens. by *Sargent.

House Joint Resolution No. 914 -- Memorials, Interns - Kirstin Leigh Cheers. by *Towns.

House Joint Resolution No. 915 -- Memorials, Death - Erma Lee Laws. by *Hardaway, *Parkinson, *White, *Miller L, *Todd, *Cooper B, *Towns, *Richardson, *Camper, *Coley, *Lollar, *Kernell, *McManus, *DeBerry J.

House Joint Resolution No. 916 -- Memorials, Recognition - Kappa Alpha Psi Fraternity, Inc., Day on the Hill. by *Miller L, *Towns, *Armstrong, *DeBerry J, *Shaw.

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House Joint Resolution No. 917 -- Memorials, Interns - Terry Edwards, Jr. by *Miller L, *Camper, *Harmon, *Stewart.

House Joint Resolution No. 918 -- Memorials, Death - Sheril Elliott. by *Halford.

House Joint Resolution No. 919 -- Memorials, Academic Achievement - Wesley Jeffers, Salutatorian, Oneida High School. by *Keisling.

House Joint Resolution No. 920 -- Memorials, Academic Achievement - Shawna Simpson Valedictorian, Scott County High School. by *Keisling.

House Joint Resolution No. 921 -- Memorials, Academic Achievement - Taylor Brewster, Salutatorian, Scott County High School. by *Keisling.

House Joint Resolution No. 922 -- Memorials, Academic Achievement - Emily Hamlett, Salutatorian, Scott County High School. by *Keisling.

House Joint Resolution No. 923 -- Memorials, Academic Achievement - Sydney Lovett, Valedictorian, Oneida High School. by *Keisling.

House Joint Resolution No. 924 -- Memorials, Academic Achievement - Shaun Boles, Salutatorian, Jackson County High School. by *Keisling.

House Joint Resolution No. 925 -- Memorials, Academic Achievement - Alyssa Stafford, Valedictorian, Jackson County High School. by *Keisling.

House Joint Resolution No. 926 -- Memorials, Academic Achievement - Jane Anne Suiter, Salutatorian, Pickett County High School. by *Keisling.

House Joint Resolution No. 927 -- Memorials, Academic Achievement - Stuart Neal, Valedictorian, Pickett County High School. by *Keisling.

House Joint Resolution No. 928 -- Memorials, Personal Achievement - Jesse Malenfant, Eagle Scout. by *Ramsey.

House Joint Resolution No. 929 -- Memorials, Academic Achievement - Susanna Gabriel Sneed, Salutatorian, Maryville High School. by *Ramsey.

House Joint Resolution No. 930 -- Memorials, Academic Achievement - Bradley Hayes Vorjohan, Valedictorian, Maryville High School. by *Ramsey.

House Joint Resolution No. 931 -- Memorials, Recognition - Watertown High School, 100th anniversary. by *Pody.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 16, 2012:

Senate Joint Resolution No. 734 -- Memorials, Academic Achievement - Alec Mullen, Salutatorian, Mount Juliet High School. by *Beavers.

Senate Joint Resolution No. 735 -- Memorials, Academic Achievement - Forrest Goodwin, Valedictorian, Mt. Juliet High School. by *Beavers.

Senate Joint Resolution No. 736 -- Memorials, Recognition - Catholic Diocese of Nashville, 175th Anniversary. by *Henry, *Ford, *Gresham, *Herron, *McNally.

Senate Joint Resolution No. 737 -- Memorials, Retirement - Clint Parnell. by *Haynes.

Senate Joint Resolution No. 739 -- Memorials, Retirement - Assistant Chief James T. Carroll, Chattanooga Police Department. by *Watson, *Berke.

Senate Joint Resolution No. 740 -- Memorials, Death - Haynes Edwin Elliott. by *Crowe.

Senate Joint Resolution No. 741 -- Memorials, Recognition - Patsy Hazlewood, 2012 Tennessee Woman of Distinction. by *Berke, *Ford, *Watson.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 948** -- Parks, Natural Areas Preservation - As introduced, increases from two to three years time after designation into the system that the commissioner of environment and conservation have completed a comprehensive plan of development and protection and begun the process of acquisition. - Amends TCA Title 11. by *Johnson. (HB1455 by *Sargent, *Hawk)

Senate Bill No. 1329 -- Local Government, General - As introduced, applies certain regulations on a state-wide basis concerning hours of operation, prohibited acts, and permitting regulations for employees and entertainers of adult-oriented establishments and adult cabarets. - Amends TCA Title 7. by *Kelsey. (*HB101 by *Hardaway, *McManus, *Todd, *Miller L)

Senate Bill No. 1504 -- Capitol - As introduced, creates David Crockett commission to oversee erection of monument or statue honoring David Crockett. by *Southerland, *Overbey. (*HB1788 by *Kernell, *Hawk)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3883 -- Oliver Springs – House State and Local Government Committee

House Bill No. 3884 -- Shelby County – House State and Local Government Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 12, 2012**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 16, 2012**: House Bill(s) No(s). 3178, 3112, 1570, 2629, 3595, 2286, 2633, 2691 and 2372.

The Committee also set the following bill(s) on the **Regular Calendar** for **April 17, 2012**: House Bill(s) No(s). 3429, 3431, 3867, House Resolution(s) No(s). 232, House Bill(s) No(s). 2379, 2751, 3175 and 2408.

The Committee also set the following bill(s) on the **Regular Calendar** for **April 18, 2012**: House Bill(s) No(s). 2389, 2193, 3394, 3671, 3243, House Joint Resolution(s) No(s). 840, House Bill(s) No(s). 3030, 3478, 3517, 3275, 651, 2537, House Joint Resolution(s) No(s). 750, House Bill(s) No(s). 2938 and 3322.

The Committee also set the following bill(s) on the **Regular Calendar** for **April 19, 2012**: House Bill(s) No(s). 2454, 3276, 3601, 3602, 3603, 153, 3610, 2567 and 3504.

The Committee also set the following bill(s) and/or resolutions on the **Consent Calendar** for **April 16, 2012**: House Bill(s) No(s). 3873, 3872, 2714, House Joint Resolution(s) No(s). 636 and Senate Joint Resolution(s) No(s). 533.

CONSENT CALENDAR

House Resolution No. 241 -- Memorials, Recognition - Reverend Adric Lane. by *Gilmore.

House Joint Resolution No. 873 -- Memorials, Interns - Kristen Lawson. by *Johnson C.

House Joint Resolution No. 874 -- Memorials, Sports - Friendship Christian School boys' basketball team, Class A state championship. by *Pody.

House Joint Resolution No. 875 -- Memorials, Academic Achievement - Adrian Ricketts, Salutatorian, Friendship Christian School. by *Pody.

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House Joint Resolution No. 876 -- Memorials, Academic Achievement - Emily Sherrill, Valedictorian, Friendship Christian School. by *Pody.

House Joint Resolution No. 877 -- Memorials, Academic Achievement - Meagen Amber Soper, Top Ten, Volunteer High School. by *Harrison.

House Joint Resolution No. 878 -- Memorials, Academic Achievement - Payton Keith Arnold, Top Ten, Volunteer High School. by *Harrison.

House Joint Resolution No. 879 -- Memorials, Academic Achievement - Brandi Michelle Lewis, Top 10, Volunteer High School. by *Harrison.

House Joint Resolution No. 880 -- Memorials, Academic Achievement - Jacob Spradley, Top Ten, Volunteer High School. by *Harrison.

House Joint Resolution No. 881 -- Memorials, Academic Achievement - William James Powell, Top Ten, Volunteer High School. by *Harrison.

House Joint Resolution No. 882 -- Memorials, Academic Achievement - Mollie Love Carr, Top Ten, Volunteer High School. by *Harrison.

House Joint Resolution No. 883 -- Memorials, Academic Achievement - Andrew Mark Peters, Top Ten, Volunteer High School. by *Harrison.

House Joint Resolution No. 884 -- Memorials, Academic Achievement - Amanda Paige McNally, Top Ten, Volunteer High School. by *Harrison.

House Joint Resolution No. 885 -- Memorials, Academic Achievement - Aurora Leann Baker, Top Ten, Volunteer High School. by *Harrison.

House Joint Resolution No. 886 -- Memorials, Academic Achievement - Caitlin Nicole Ladd, Top 10, Volunteer High School. by *Harrison.

House Joint Resolution No. 887 -- Memorials, Recognition - Alcoa Middle School, Tennessee State Scholastic Team Chess Champions. by *Swann, *Ramsey.

House Joint Resolution No. 888 -- Memorials, Interns - Carlee Greene. by *Ramsey.

House Joint Resolution No. 889 -- Memorials, Death - James Harvey Shelton. by *Rich, *Naifeh.

House Joint Resolution No. 892 -- Memorials, Retirement - Melvin C. Everette. by *Naifeh, *Hensley, *Fitzhugh, *Turner M, *Shepard, *McDaniel, *Harrison, *Williams K, *Campbell, *Armstrong, *Tindell, *DeBerry J, *Curtiss, *Windle, *Odom, *Pruitt, *Gilmore, *Moore, *Towns, *Cooper B.

House Joint Resolution No. 893 -- Memorials, Personal Achievement - Phillip Alexander Seeley, Eagle Scout. by *Cobb.

House Joint Resolution No. 894 -- Memorials, Personal Achievement - Christopher M. Randall, Eagle Scout. by *Cobb.

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House Joint Resolution No. 895 -- Memorials, Academic Achievement - Zachary Timothy Dye, Valedictorian, Rhea County High School. by *Cobb.

House Joint Resolution No. 896 -- Memorials, Academic Achievement - Ashley Truong, Valedictorian, Kingsbury High School. by *Parkinson.

House Joint Resolution No. 897 -- Memorials, Academic Achievement - Keriyon Hunter, Salutatorian, Kingsbury High School. by *Parkinson.

House Joint Resolution No. 898 -- Memorials, Academic Achievement - Zalondria Michelle Graham, Valedictorian, Craigmont High School. by *Parkinson.

House Joint Resolution No. 899 -- Memorials, Academic Achievement - Luan Tran, Salutatorian, Craigmont High School. by *Parkinson.

House Joint Resolution No. 900 -- Memorials, Academic Achievement - Irvin Mull, Valedictorian, Northside High School. by *Miller L.

House Joint Resolution No. 901 -- Memorials, Academic Achievement - Nortoria Taper, Salutatorian, Northside High School. by *Miller L.

House Joint Resolution No. 902 -- Memorials, Recognition - Apostle William A. Adkins, Jr., and First Lady Linda Kerr Adkins. by *Parkinson.

House Joint Resolution No. 903 -- Memorials, Recognition - Rev. Robert Earl Jones, Sr., and First Lady Harriet Noel Jones. by *Parkinson.

House Joint Resolution No. 904 -- Memorials, Recognition - Bishop Edward Houston Stephens, Jr., and Elder Beverly Clark Stephens. by *Parkinson.

House Joint Resolution No. 905 -- Memorials, Recognition - Pastor Ricky Floyd and Co-Pastor Sheila Floyd. by *Parkinson.

House Joint Resolution No. 906 -- Memorials, Recognition - Pastor Elliot R. Shelton, Sr., and Jeaneen Shelton. by *Parkinson.

House Joint Resolution No. 907 -- Memorials, Recognition - Breath of Life Christian Center, 30th anniversary. by *Parkinson.

House Joint Resolution No. 908 -- Memorials, Academic Achievement - Charles Lee Gross, Jr., Valedictorian, Trezevant High School. by *Miller L.

House Joint Resolution No. 909 -- Memorials, Academic Achievement - Elishuwa Keith Miller, Salutatorian, Trezevant High School. by *Miller L.

House Joint Resolution No. 910 -- Memorials, Recognition - R. C. Bartlett. by *Gilmore.

House Joint Resolution No. 912 -- Memorials, Personal Achievement - Seth Andrew Morton, Eagle Scout. by *Swann.

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House Joint Resolution No. 913 -- Memorials, Personal Occasion - Bill & Beth Miller, 50th wedding anniversary. by *Montgomery.

Rep. Gilmore moved that the Davidson County delegation be added as co-prime sponsors on House Resolution No. 241, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Gilmore moved that the Davidson County delegation be added as co-prime sponsors on House Joint Resolution No. 910, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative J. Turner; personal

CONSENT CALENDAR, CONTINUED

Rep. Parkinson moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 896, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Parkinson moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 897, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Parkinson moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 898, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Parkinson moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 899, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Parkinson moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 900, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

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Rep. Parkinson moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 901, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Parkinson moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 902, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Parkinson moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 903, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Parkinson moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 904, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Parkinson moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 905, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Parkinson moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 906, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Parkinson moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 907, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Parkinson moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 908, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Parkinson moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 909, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

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Ayes 93
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 1954 -- Education - As introduced, broadens the purpose of certain statutory restrictions concerning who may enter school grounds during school hours. - Amends TCA Title 49. by *Matlock. (*SB1429 by *Woodson, *McNally)

On motion, House Bill No. 1954 was made to conform with **Senate Bill No. 1429**; the Senate Bill was substituted for the House Bill.

Rep. Matlock moved that Senate Bill No. 1429 be passed on third and final consideration.

Rep. Montgomery moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Towns moved the previous question, which motion prevailed.

Rep. Matlock moved that **Senate Bill No. 1429** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann,

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A motion to reconsider was tabled.

PRESENT IN CHAMBER

Representative(s) H. Brooks was/were recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

House Bill No. 3760 -- Taxes, Inheritance Gift - As introduced, increases the maximum allowable exemption from \$1 million to \$1.25 million. - Amends TCA Title 67, Chapter 8. by *McCormick, *Sargent, *Harwell, *Carr, *Weaver, *Brooks K, *Niceley, *McManus, *Maggart, *Womick, *Hensley, *Matlock, *Evans, *Cobb, *Naifeh, *Odom, *Roach, *DeBerry L, *Tindell, *Fitzhugh, *Johnson C, *Eldridge, *Montgomery, *Faison. (*SB3762 by *Norris, *Crowe, *Ketron, *Yager)

Rep. Sargent moved that House Bill No. 3760 be passed on third and final consideration.

Rep. Harrison moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3760 by deleting Section 1 and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-8-316(b), is amended by deleting the current language in its entirety and by substituting instead the following:

(b) For the sole purpose of determining the net taxable estate under this part and part 4 of this chapter, there shall be allowed against the net estate a maximum single exemption against that portion of the estate distributable to one (1) or more beneficiaries of an amount to be determined by the following schedule:

In the case of a decedent dying:	Amount:
On or after July 1, 1998, but before January 1, 1999	\$ 625,000
In 1999	\$ 650,000
In 2000 and 2001	\$ 675,000
In 2002 and 2003	\$ 700,000

In 2004	\$ 850,000
In 2005	\$ 950,000
In 2006 through 2012	\$1,000,000
In 2013	\$1,250,000
In 2014	\$2,000,000
In 2015 and thereafter	\$5,000,000

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Harrison moved adoption of Finance, Ways and Means Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 3760 By deleting from Section 1(b) the language "and thereafter".

AND FURTHER by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 67-8-314, is amended by designating the current language as subsection (a) and by adding the following new subsection (b):

(b) In the case of a decedent dying in 2016 or in any subsequent year, no tax shall be imposed pursuant to this part; provided, however, the provisions of this subsection shall not be construed to absolve liability for any tax duly levied by the provisions of this section, during any year prior to January 1, 2016.

SECTION _____. Tennessee Code Annotated, Title 67, Chapter 8, Part 3, is amended by adding the following language as a new, appropriately designated section:

§ 67-8-318. The provisions of this part do not apply in the case of any decedent who died in 2016 or in any subsequent year.

SECTION _____. Tennessee Code Annotated, Title 67, Chapter 8, Part 4, is amended by adding the following language as a new, appropriately designated section:

§ 67-8-425. The provisions of this part do not apply in the case of any decedent who died in 2016 or in any subsequent year.

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SECTION _____. Tennessee Code Annotated, Title 67, Chapter 8, Part 5,
is amended by adding the following language as a new, appropriately designated
section:

§ 67-8-507. The provisions of this part do not apply in the case of
any decedent who died in 2016 or in any subsequent year.

On motion, Finance, Ways and Means Committee Amendment No. 2 was adopted.

Rep. L. Miller moved the previous question, which motion prevailed by the following
vote:

Ayes 65
Noes..... 27

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr,
Casada, Cobb, Coley, Dean, Dennis, Elam, Eldridge, Evans, Faison, Floyd, Forgety, Gotto,
Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P,
Keisling, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller
D, Montgomery, Niceley, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson,
Sargent, Sexton, Shipley, Sparks, Swann, Tindell, Todd, Watson, Weaver, White, Williams K,
Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 65

Representatives voting no were: Bass, Brown, Camper, Cooper, Curtiss, DeBerry J,
Dunn, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Jones, Kernell, Miller L, Moore, Naifeh,
Odom, Parkinson, Pitts, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Towns -- 27

Rep. Sargent moved that **House Bill No. 3760**, as amended, be passed on third and
final consideration, which motion prevailed by the following vote:

Ayes 88
Noes..... 8

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K,
Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry
L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore,
Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley,
Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock,
McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Naifeh, Niceley, Odom,
Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent,
Sexton, Shaw, Shepard, Shipley, Sparks, Swann, Tidwell, Tindell, Todd, Towns, Watson,
Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 88

Representatives voting no were: Cooper, Jones, Kernell, Moore, Richardson, Sontany,
Stewart, Turner M -- 8

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on the voice vote on **House Joint Resolution No. 891** and have this statement entered in the Journal: Rep(s). Ragan.

REGULAR CALENDAR, CONTINUED

House Bill No. 3761 -- Taxes, Sales - As introduced, reduces the state sales tax on food and food ingredients from 5.5 percent to 5.3 percent; requires that the local option sales tax, which under existing law can be in an amount of up to 2.75 percent, be at a rate that is a multiple of 0.25 percent. - Amends TCA Title 67, Chapter 6. by *McCormick, *Alexander, *Evans, *Brooks K, *Marsh, *Eldridge. (*SB3763 by *Norris, *Crowe, *Ketron, *Yager)

Rep. Alexander moved that House Bill No. 3761 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3761 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-6-228(a), is amended by deleting the current language in its entirety and by substituting instead the following:

(a) Notwithstanding any provision of this part to the contrary, except as otherwise provided in subsection (b), the retail sale of food and food ingredients for human consumption shall be taxed at the rate of five and one quarter percent (5.25%) of the sales price.

SECTION 2. This act shall take effect on July 1, 2012, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. L. Miller moved the previous question, which motion prevailed by the following vote:

Ayes	72
Noes	21

Representatives voting aye were: Alexander, Armstrong, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McManus, Miller D, Miller L, Montgomery, Niceley, Odom,

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Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sexton, Shaw, Shipley, Swann, Tindell, Todd, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 72

Representatives voting no were: Bass, Brown, Camper, Cooper, Curtiss, DeBerry L, Favors, Fitzhugh, Hardaway, Kernell, Moore, Naifeh, Parkinson, Pitts, Richardson, Shepard, Sontany, Stewart, Tidwell, Towns, Turner M -- 21

Rep. Alexander moved that **House Bill No. 3761**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

***House Bill No. 3282** -- Judges and Chancellors - As introduced, allows members of the judicial nominating commission to serve successive terms; allows solicitor general and employees of the attorney general to serve on the commission; allows members to participate in meetings by telephone if three or fewer applicants; allows members continuance in court hearings if commission meeting scheduled. - Amends TCA Title 17, Chapter 4, Part 1. by *Maggart. (SB3654 by *Bell, *Ramsey, *Ketron)

Rep. Maggart moved that **House Bill No. 3282** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann,

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Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 3699 -- General Assembly - As introduced, corrects references remaining in TCA to oversight committees that were abolished by Chapter 410 of the Public Acts of 2011. - Amends TCA. by *Matheny. (*SB2784 by *Watson)

On motion, House Bill No. 3699 was made to conform with **Senate Bill No. 2784**; the Senate Bill was substituted for the House Bill.

Rep. Matheny moved that Senate Bill No. 2784 be passed on third and final consideration.

Rep. Ramsey moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2784 by deleting in the directory language of SECTION 9 the language "71-5-2005(f)" and substituting instead the language "71-5-2005(h)".

AND FURTHER AMEND by adding the following as new sections to the bill, immediately preceding the effective date section, and by renumbering the effective date section accordingly:

SECTION ____ Tennessee Code Annotated, Section 4-51-111(c)(3)(D), is amended by deleting the language "the select committee on the Tennessee education lottery corporation and".

SECTION ____ Tennessee Code Annotated, Section 4-51-112(b)(2), is amended by deleting the language "legislative select committee" and substituting instead "state and local government committees of the senate and house of representatives".

SECTION ____ Tennessee Code Annotated, Section 4-51-116(c), is amended by deleting the language "legislative select committee" and substituting instead the language "state and local government committees of the senate and house of representatives".

SECTION ____ Tennessee Code Annotated, Section 4-51-129(4)(C), is amended by deleting the "select committee chairs" and substituting instead the language "chairs of the state and local government committees of the senate and house of representatives".

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Matheny moved that **Senate Bill No. 2784**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes 92
Noes..... 1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives voting no were: Gilmore -- 1

A motion to reconsider was tabled.

***House Bill No. 3540** -- Schools, Charter - As introduced, regulates charter schools' relationships with foreign entities and the use of non-immigrant foreign workers by charter schools. - Amends TCA Title 49, Chapter 13. by *Matheny, *Brooks K, *Forgety, *Powers, *Ragan, *Williams R, *Dunn, *Carr. (SB3345 by *Ketron, *Summerville, *Tate, *Tracy, *Crowe)

Rep. Matheny requested that House Bill No. 3540 be moved to the heel of the Calendar.

***House Bill No. 2387** -- State Government - As introduced, decreases the size of the board of directors for the Duck River Development Agency from 17 to 12; authorizes the commissioner of environment and conservation to appoint an executive director to carry out the purposes of the Tennessee Heritage Conservation Trust Fund Act of 2005; revises other various provisions governing the structure of certain state agencies, committees, boards and commissions. - Amends TCA Title 4; Title 11; Title 16; Title 37; Title 38; Title 41; Title 49; Title 60; Title 62; Title 63; Title 64; Title 68; Title 69 and Title 71. by *McCormick, *Brooks K. (SB2249 by *Norris, *Bell)

Rep. McCormick moved that House Bill No. 2387 be passed on third and final consideration.

Rep. Cobb moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2387 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 64-1-602(a), is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1) The agency shall be governed by a board of directors consisting of twelve (12) members;

SECTION 2. Tennessee Code Annotated, Section 64-1-602(a)(2), is amended by deleting subdivision (A) in its entirety and by substituting instead the following:

(A) The governor shall appoint one (1) director from each county named in Section 64-1-601(b). Each director shall be chosen from a list of three (3) candidates nominated by majority vote of the county legislative bodies of each county. Candidates shall include persons active in municipal, industrial, agricultural, commercial and citizen organizations, such as the Upper Duck River development association, and active in promoting comprehensive unified development of the resources and economic growth of the Upper Duck River watershed. The presiding officer of the governing body of each county shall certify such nominations to the governor. From the nominations, the governor shall appoint three (3) directors for terms of three (3) years and two (2) directors for terms of four (4) years. Successors shall be appointed for terms of six (6) years. Directors shall serve until their successors are appointed. If a vacancy occurs, the governor shall appoint a successor for the unexpired term; and

SECTION 3. Tennessee Code Annotated, Section 64-1-602(a)(2), is amended by deleting subdivision (E) in its entirety and by substituting instead the following:

(E) The governor shall appoint two (2) additional directors for terms of four (4) years. The governor may choose from a list of six (6) at-large candidates nominated by the board of directors. There is no residency requirement for the two (2) additional directors other than to be citizens of the state; and

SECTION 4. Tennessee Code Annotated, Section 64-1-602(a), is amended by deleting subdivision (3) in its entirety and by substituting instead the following:

(3) The board of directors shall elect a chair, vice-chair and secretary-treasurer and set a regular time and place for meetings of the board.

SECTION 5. Tennessee Code Annotated, Section 38-8-102(b), is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1) The commission shall consist of:

(A) The attorney general and reporter;

(B) One (1) police officer below the rank of assistant chief, or equivalent rank, who shall be appointed by the governor for a term of four (4) years;

(C) Two (2) sheriffs and two (2) municipal chiefs of police, who shall be appointed by the governor and serve at the governor's pleasure;

(D) One (1) nonsupervisory police officer, who shall be appointed by the governor for a term of four (4) years;

(E) One (1) member of the senate and one (1) member of the house of representatives, who shall be appointed by the respective speakers and who shall be nonvoting members of the commission, to serve for a term of two (2) years;

(F) Two (2) citizens who are not connected with law enforcement to serve for a term of two (2) years, one (1) of whom shall be appointed by a resolution of the house of representatives and one (1) of whom shall be appointed by a resolution of the senate; and

(G) Three (3) additional members, whom the governor shall appoint for terms of three (3) years.

SECTION 6. Tennessee Code Annotated, Section 38-8-203 is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a) The police and law enforcement programs offered through the academy shall be under the jurisdiction of such agency or agencies of the state of Tennessee as the governor shall designate by executive order. The commissioner of the agency appointed pursuant to executive order shall hire the director of the academy. The director, subject to approval of the appropriate state officials, is authorized to employ any personnel that may be reasonably required.

SECTION 7. Tennessee Code Annotated, Section 41-7-102 is amended by deleting the section in its entirety and by substituting instead the following:

41-7-102.

(a) There is hereby created the Tennessee corrections institute.

(b) The Tennessee corrections institute shall be attached to the department of commerce and insurance, and the department shall serve as a fiscal agent for the institute.

SECTION 8. Tennessee Code Annotated, Title 41-7-106 is amended by deleting the section in its entirety and by substituting instead the following:

41-7-106.

(a) The board is authorized to enter into a contract or contracts with state, local, municipal, county or metropolitan correctional and criminal justice officials as may be necessary in order to carry out title 40, chapter 28, this chapter and chapter 21 of this title. In addition, the board has the power to contract with appropriate officials in other states who wish to utilize the services of the institute. The power to contract shall include the power to contract with public agencies or officials for enrolling trainees in general courses or establishing special courses and study projects designed to meet the needs of agencies or units of government.

(b) The board is authorized to accept and expend local, federal or foundation funds, contributions or grants as may be received and allotted for the purposes of this chapter.

(c) The board shall promulgate rules and regulations for the implementation and the effective operation of this chapter.

(d) The board has the right and power to call on the office of the attorney general and reporter for any necessary legal representation or assistance.

(e) The board may authorize its executive director or other official of the institute to execute contracts and take such other actions as it may specify from time to time.

SECTION 9. Tennessee Code Annotated, Title 41, Chapter 7, Part 1, is amended by adding the following language as a new, appropriately designated section:

41-7-109.

(a) The commissioner of the department of commerce and insurance shall hire the executive director of the board. The executive director shall perform all administrative functions for the board.

(b) The executive director is authorized to employ such personnel as may reasonably be required in accordance with the statutes and procedures administered by the departments of finance and administration and human resources.

SECTION 10. Tennessee Code Annotated, Section 41-7-105 is amended by deleting the section in its entirety and by substituting instead the following:

41-7-105.

(a) The correctional services programs of the institute shall be under the direction of the board of control of the institute. The board of control shall consist of seven (7) members:

(1) The governor or the governor's designee;

(2) The commissioner of correction or the commissioner's designee;

(3) The chair of the department of criminal justice of an institution of higher education in Tennessee, who shall be appointed by the governor;

(4) Two (2) sheriffs, who shall be appointed by the governor. One (1) shall be from a county with a population of two hundred thousand (200,000) or more and one (1) shall be from a county with a population of less than two hundred thousand (200,000);

(5) A county mayor, who shall be appointed by the governor; and

(6) A chief of police or a county commissioner, who shall be appointed by the governor.

(b) The initial term of members of the board shall be three (3) years, beginning on October 1, 2012. Successors shall be appointed for terms of four (4) years. Members shall continue to serve until their successors are appointed.

If a vacancy occurs, the governor shall appoint a successor for the unexpired term; and

(c) All reimbursement for travel expenses shall be in accordance with the provisions of the comprehensive travel regulations promulgated by the department of finance and administration and approved by the attorney general and reporter.

SECTION 11. Tennessee Code Annotated, Section 16-3-908 is amended by deleting the section in its entirety and by substituting instead the following:

The council shall meet at such times and places as necessary and convenient.

SECTION 12. Tennessee Code Annotated, Section 71-2-104 is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) The commission shall consist of twenty-two (22) members, who shall be persons who provide leadership in programs for the elderly and disabled in the state. Nineteen (19) of the members shall be appointed by the governor, in accordance with the provisions of this part. Members may come from such diverse areas as housing, recreation, employment, medicine, nursing, social service, business, adult education, long-term care, religion, research and advocacy. It is desirable that the commission membership reflect the geographic diversity of the state, and include minorities and women at least in proportion to their presence in the state's population and that at least one-half (1/2) of the membership be representative of the population served. Staff members of programs funded wholly or in part by the commission shall be ineligible to serve as commission members.

SECTION 13. Tennessee Code Annotated, Section 71-2-104(c), is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1) Members of the commission shall be appointed as follows:

(A) One (1) person shall be appointed by the governor from each of the nine (9) planning and service areas, in consultation with each of the nine (9) advisory councils to the nine (9) area agencies on aging. The governor may appoint such persons from a list of two (2) persons nominated by each advisory council to the nine (9) area agencies on aging. In making these appointments, the governor shall strive to achieve adequate representation from both rural and urban areas. Nothing shall

preclude members of the advisory councils from being appointed as commission members;

(B) One (1) member of the governor's personal staff, who shall be appointed by the governor;

(C) One (1) person who is an active member of a chartered, statewide organization that advocates exclusively for older persons shall be appointed by the governor. Each such organization may submit two (2) nominations for consideration by the governor;

(D) One (1) person who is an active member of a federally chartered organization with statewide membership and chapters chartered in this state, that advocates exclusively for older persons, shall be appointed by the governor. Each such organization may submit two (2) nominations for consideration by the governor;

(E) One (1) person who is an active member of a chartered, statewide organization that advocates exclusively for disabled persons shall be appointed by the governor. Each such organization may submit two (2) nominations for consideration by the governor;

(F) The commissioners of the departments of human services, health, veterans' affairs, mental health, and intellectual and developmental disabilities, and the director of TennCare or their designees;

(G) The executive director of the council on developmental disabilities; and

(H) The speaker of the senate and the speaker of the house of representatives each shall name one (1) legislator from such speaker's respective house to serve on the commission as ex officio members without voting power to attend and sit with the commission in open meetings, in order to report back to the general assembly on actions being taken or considered by the commission.

SECTION 14. Tennessee Code Annotated, Section 71-2-104(e), is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1) Members appointed to serve on the commission pursuant to this section shall be appointed in accordance with the criteria established in this section. Members of the commission as it existed prior to October 1, 2012, may be eligible for nomination and appointment pursuant to the criteria established in this section.

SECTION 15. Tennessee Code Annotated, Section 71-2-105(a), is amended by deleting subdivision (9) and by renumbering the remaining subdivisions accordingly.

SECTION 16. Tennessee Code Annotated, Section 71-2-107 is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a) The governor shall appoint the executive director. The executive director shall be the chief administrative officer of the commission. The director shall be a full-time employee of the commission and shall have such education as deemed necessary by the governor, with a minimum of five (5) years' experience in the fields of aging or disability or administrative experience necessary to properly operate and manage the programs under this part. The executive director shall have the authority to conduct ordinary and necessary business in the name of the commission in accordance with the provisions of this part and as determined by the commission from time to time.

SECTION 17. Tennessee Code Annotated, Section 37-3-104 is amended by deleting the section in its entirety and by substituting instead the following:

37-3-104. The commission shall be administered by an executive director. The governor shall appoint the executive director, who shall serve at the pleasure of the governor. The executive director shall be a full-time employee of the commission and shall be responsible for the administration of commission policies, rules and guidelines and the proper management and operation of the commission's programs and activities. The executive director shall be an individual who is professionally trained in one or more fields involving services to children and youth, who has a working knowledge of programs for children and youth, and who has previous employment experience in managing and delivering services to children and youth. The executive director's compensation shall be fixed by the governor.

SECTION 18. Tennessee Code Annotated, Section 37-5-305 is amended by deleting the section in its entirety and by substituting instead the following:

37-5-305.

(a) Each community services agency shall be governed by a community services agency board.

(b) There is hereby created and established a statewide community services agency. The statewide board of directors shall consist of the commissioner or the commissioner's designee and twelve (12) members appointed by the governor. The members appointed by the governor shall be as follows:

(1) There shall be one (1) member appointed from each of the nine (9) regional agency areas;

(2) There shall be one (1) member appointed from each of the three (3) grand divisions; and

(3) No two (2) members shall reside in the same county at the time of appointment or reappointment.

(c) The membership of each regional board serving a multi-county community services agency shall be appointed by the governor and shall consist of a representative of each county within the agency boundary and the commissioner or the commissioner's designee.

(d) The membership of each board serving a metropolitan community services agency shall consist of twelve (12) members appointed by the governor, with at least fifty percent (50%) of the appointments made from recommendations by the county mayor. If any municipality within the county has more than sixty percent (60%) of the total population of the county, the governor shall appoint equal number from recommendations submitted by the county mayor and the mayor of the identified municipality.

(e) Appointees to a board governed by subsections (b), (c), and (d) may include, but not be limited to, representatives of the areas of law enforcement, mental health professionals, local education agencies, local courts, social workers, advocates, health care providers, consumers of services provided by the community services agency or persons having specialized knowledge or expertise in the service areas and public and private agencies that provide services to persons in need of services in Tennessee. The members of each board shall be appointed with a good faith effort to reflect a diverse mixture of race and gender.

(f) The term of a member of a board governed by subsections (b), (c), and (d) shall be four (4) years. The terms of initial appointments to the board

shall be staggered as follows: one fourth (1/4) shall be made for a term of one (1) year, one fourth (1/4) for a term of two (2) years, one fourth (1/4) for a term of three (3) years, and one fourth (1/4) for a term of four (4) years. The governor shall make initial appointments to the statewide board of directors by July 1, 2012.

(g) Members of a board governed by subsections (b), (c), and (d) shall continue in office until the expiration of the terms for which they were respectively appointed and until such time as their successors are appointed.

(h) Vacancies occurring on a board governed by subsections (b), (c), and (d) because of death, resignation or lack of active participation, as determined by the governance policies of the community services agency, shall be filled in the same manner as a regular appointment for the remainder of the unexpired terms.

(i) Members of a board governed by subsections (b), (c), and (d) shall not be compensated for services rendered to the agency, but shall be reimbursed by the agency for actual expenses in accordance with the comprehensive travel regulations promulgated by the commissioner of finance and administration and approved by the attorney general and reporter.

(j) A board governed by subsections (b), (c), and (d) shall elect a chair from among its members. The board shall also elect other officers as the board finds necessary and appropriate. Such positions are for a term of one (1) year, but officers may be reelected to serve additional terms.

(k) If any matter before a board governed by subsections (b), (c), and (d) involves a project, transaction or relationship in which a member or the member's associated institution, business or board has a direct or conflicting interest, the member shall disclose to the board that interest and shall be prohibited from participating in discussions and voting on that matter.

SECTION 19. Tennessee Code Annotated, Section 4-20-103 is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a) The governor shall appoint an executive director for the Tennessee arts commission. The executive director shall have broad experience in art agency management. Prior to appointing the executive director, the governor shall request that the Tennessee arts commission conduct a search for qualified candidates. The commission shall submit to the governor at least three (3) interested and qualified candidates. The commission shall submit additional candidates at the governor's request. The governor shall appoint the executive director from among the recommendations submitted by the commission. In the event of a vacancy, the governor shall appoint a new executive director. The

governor or the commission shall remove the executive director for neglect of duty or other just cause.

SECTION 20. Tennessee Code Annotated, Section 49-7-205 is amended by deleting subsections (a), (b), & (c) in their entirety and by substituting instead the following:

(a)

(1) The governor shall appoint an executive director.

(2) The executive director shall serve at the pleasure of the governor.

(3) The governor may define the executive director's duties and, within budgetary limitations, fix the executive director's compensation.

(4) The executive director must have the educational preparation and experience that qualifies the executive director, in the governor's judgment, to understand and evaluate the problems and needs of the state's institutions of higher learning and to direct the studies of the commission.

(b) Within budgetary limitations, and subject to the approval of the commissioner of human resources, the executive director may employ other professional and staff employees necessary to efficiently discharge the duties of the agency.

(c) The executive director and all other employees shall be reimbursed for travel expenses in accordance with the comprehensive travel regulations promulgated by the department of finance and administration and approved by the attorney general and reporter.

SECTION 21. Tennessee Code Annotated, Title 49, Chapter 11, is amended by adding the following language as a new, appropriately designated section:

49-11-204. The council for career and technical education shall be administratively attached to the department of education.

SECTION 22. Tennessee Code Annotated, Section 49-11-203 is amended by deleting subsection (d) in its entirety and by substituting instead the following:

(d)

(1) In carrying out the purpose of the council, the commissioner of education may appoint an executive director to support the administrative functions of the council

(2) The executive director serves at the pleasure of the commissioner of education.

(3) The commissioner shall set the salary for the executive director.

(4) The executive director is authorized to obtain the services of professional, technical and clerical personnel necessary to carry out the council's functions under this part and to contract for services necessary for the council to carry out its evaluation functions.

(5) The expenditure of funds paid pursuant to (d)(4) is to be determined solely by the state council, and these funds may not be diverted or reprogrammed for any other purpose by any state board, agency, or individual. The council is administratively attached to the department of education to receive funds pursuant to either federal or state law and to act as its fiscal agent for purposes of disbursement accounting and auditing.

SECTION 23. Tennessee Code Annotated, Title 11, Chapter 2, is deleted in its entirety.

SECTION 24. Tennessee Code Annotated, Section 11-7-105 is amended by deleting the section in its entirety and by substituting instead the following:

11-7-105.

(a) In carrying out the purposes of the trust fund, the board is authorized to do the following:

(1) Acquire for the state, by purchase or by donation, and convey, sell, exchange, lease or otherwise transfer any interest in

real property; the board, however, does not have the power of eminent domain;

(2) Make grants or loans to state, federal or local governments and to nonprofit organizations, in order to carry out the purposes of this chapter, including, but not limited to, grants or loans provided to acquire a fee simple or other interest in real property;

(3) Enter into contracts and cooperative agreements, other than grants or loans pursuant to subdivision (2), with state, federal and local governments, with private individuals and corporations, and with associations and organizations, as the trust fund may deem necessary or convenient for the fund to carry out the purposes of this chapter;

(4) Adopt, amend and repeal by-laws;

(5) Adopt policies and guidelines for the use of the trust fund, including the procedure for identifying projects, establishing conservation priorities and allocating money from the trust fund;

(6) Make such studies and recommendations concerning the conservation programs and policies of the department of environment and conservation as it may deem appropriate to a sound conservation program; and

(7) Take any other necessary actions to carry out the provisions of this chapter.

SECTION 25. Tennessee Code Annotated, Title 11, Chapter 7 is amended by adding the following language as a new, appropriately designated section:

11-7-110.

(a) In carrying out the purposes of the trust fund, the commissioner of the department of environment and conservation is authorized to appoint an executive director to carry out the provisions of this chapter;

(b) The commissioner of the department of environment and conservation shall set the salary for the executive director.

(c) The executive director may hire other staff necessary to carry out the provisions of this chapter.

SECTION 26. Tennessee Code Annotated, Section 69-3-104(a), is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1) There is hereby created and established the Tennessee board of water quality, oil, and gas, referred to as the "board" in this part, which shall be composed of twelve (12) members as follows:

(A) The commissioner of environment and conservation, who shall be the chair of the board;

(B) The commissioner of health;

(C) The commissioner of agriculture;

(D) Nine (9) citizen members appointed by the governor for terms of four (4) years.

SECTION 27. Tennessee Code Annotated, Section 69-3-104(a), is amended by deleting subdivision (3) in its entirety and by substituting instead the following:

(3) The board shall annually elect a vice chair from among its members, who shall preside over all meetings at which the chair is not present.

SECTION 28. Tennessee Code Annotated, Section 69-3-104(a), is amended by deleting subdivision (4) in its entirety and by substituting instead the following:

(4)

(A) The citizen members of the board shall be appointed as follows:

(i) One (1) of the nine (9) citizen members shall be from the public-at-large. The public member's occupation shall not be in the same primary area of interest as any other citizen member of the board;

(ii) One (1) member shall represent environmental interests and may be appointed from lists of qualified persons submitted by interested conservation groups including, but not limited to, the Tennessee conservation league;

(iii) One (1) member shall represent counties and may be appointed from lists of qualified persons submitted by interested county services groups including, but not limited to, the County Services Association;

(iv) One (1) member shall represent agricultural interests and may be appointed from lists of qualified persons submitted by interested farm business groups including, but not limited to, the Tennessee Farm Bureau;

(v) One (1) member shall represent the municipalities of the state and may be appointed from lists of qualified persons submitted by interested municipal groups including, but not limited to, the Tennessee Municipal League;

(vi) One (1) member shall represent small generators of water pollution and may be appointed from lists of qualified persons submitted by interested automotive groups including, but not limited to, the Tennessee Automotive Association;

(vii) One (1) member shall represent manufacturing industries and have current full-time employment with a manufacturing concern in Tennessee, shall hold a college degree in engineering or the equivalent, and shall have at least eight (8) years of combined technical training and experience in National Pollutant Discharge Elimination System (NPDES) permit compliance and management of wastewater or water treatment facilities, and may be appointed from lists of qualified persons submitted by interested business groups including, but not limited to, the Tennessee Chamber of Commerce and Industry;

(viii) One (1) member shall represent the oil and gas industry; and

(ix) One (1) member shall represent oil or gas property owners.

(B) The governor shall consult with the interested groups described in subdivision (A) to determine qualified persons to fill the citizen member positions on the board.

SECTION 29. Tennessee Code Annotated, Section 60-1-101 is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1) "Board" means the board of water quality, oil and gas created by Section 69-3-104;

SECTION 30. Tennessee Code Annotated, Section 60-1-201, is deleted in its entirety.

SECTION 31. Tennessee Code Annotated, Section 60-1-103(a), is amended by deleting subdivision (5) in its entirety and by substituting instead the following:

(5) A processing fee for permits shall be submitted with the application in an amount specified in rules promulgated by the board, which shall not exceed the amount stated in § 68-203-103(h) for an oil and gas permit.

SECTION 32. Tennessee Code Annotated, Section 60-1-202 is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) The applicant for any permit must swear to facts set out in any application for a permit to drill or deepen a well, or reopen a plugged or abandoned well, under the rules made by the board pursuant to this title.

SECTION 33. Tennessee Code Annotated, Section 68-211-841 is deleted in its entirety.

SECTION 34. Tennessee Code Annotated, Section 68-211-111(a), is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1)

(A) There is created an underground storage tanks and solid waste disposal control board that shall be composed of fourteen (14) members appointed by the governor as follows:

(i) One (1) person engaged in a field directly related to agriculture, who may be appointed from lists of qualified persons submitted by interested farm business groups including, but not limited to, the Tennessee Farm Bureau;

(ii) One (1) person who is employed by, or is the owner of, a private petroleum concern, with at least ten (10) years of experience owning or operating a wholesale or retail gasoline business with management responsibility for at least fifteen (15) underground storage tanks, who may be appointed from a list of qualified persons submitted by interested wholesale or retail gasoline business groups including, but not limited to, the Tennessee Fuel and Convenience Store Association. Such person shall have

demonstrated leadership in the industry by membership and involvement in a trade association representing fuel distributors and convenience store owners;

(iii) One (1) person who is employed by a private manufacturing concern in Tennessee, who shall have a college degree in engineering or the equivalent and at least eight (8) years of combined technical training and experience in permit compliance and management of solid wastes or hazardous waste, who may be appointed from a list of qualified persons submitted by interested business groups including, but not limited to, the Tennessee Chamber of Commerce and Industry;

(iv) One (1) person employed by a private manufacturing concern in Tennessee, who shall have a college degree in engineering or the equivalent and at least eight (8) years of combined technical training and experience in the management of petroleum underground storage tanks and hazardous materials. This person may be appointed from a list of qualified persons submitted by business groups including, but not limited to, the Tennessee Chamber of Commerce and Industry;

(v) One (1) person who is a registered engineer or geologist or qualified land surveyor with knowledge of management of solid wastes or hazardous materials or the management of underground storage tanks from the faculty of an institution of higher learning, who may be appointed from a list of four (4) persons, two (2) of whom may be nominated by the board of trustees of the University of Tennessee system and two (2) of whom may be nominated by the board of regents of the state university and community college system;

(vi) One (1) person with knowledge of management of solid wastes, hazardous materials, or underground storage tanks to represent environmental interests, who may be appointed from a list of qualified persons submitted by environmental groups including, but not limited to, the Tennessee Environmental Council;

(vii) One (1) representative of county governments, who may be appointed from lists of qualified persons submitted by interested county services groups including, but not limited to, the County Services Association;

(viii) One (1) representative of municipal governments, who may be appointed from lists of qualified persons submitted by interested municipal groups including, but not limited to, the Tennessee Municipal League;

(ix) One (1) person shall be a small generator of solid wastes or hazardous materials, who may be appointed from lists of qualified persons submitted by interested automotive groups including, but not limited to, a list of three (3) persons that shall be submitted by the Tennessee Automotive Association;

(x) One (1) person employed by a private petroleum concern with experience in the management of petroleum, who may be appointed from lists of qualified persons submitted by interested petroleum groups including, but not limited to, the Tennessee Petroleum Council;

(xi) One (1) person engaged in the business of management of solid wastes or hazardous materials;

(xii) One (1) person who is employed by, or is the owner of, a private petroleum concern, with at least five (5) years of experience owning or operating a wholesale or retail gasoline business with management responsibility for no more than five (5) underground storage tanks; and

(xiii) The commissioner of economic and community development or the commissioner's designee, and the commissioner of environment and conservation or the commissioner's designee, who shall be ex officio nonvoting members.

(B) The governor shall consult with the interested groups described in subdivision (A) to determine qualified persons to fill the positions on the board.

SECTION 35. Tennessee Code Annotated, Section 68-211-111(a), is amended by deleting subdivision (3) in its entirety.

SECTION 36. Tennessee Code Annotated, Section 68-211-111 is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) In making the initial appointments to the board, three (3) members shall be appointed for a term of one (1) year, three (3) members shall be appointed for a term of two (2) years, three (3) members shall be appointed for a term of three (3) years, and three (3) members shall be appointed for a term of four (4) years. Upon expiration of these terms, members shall be appointed by the governor for a term of four (4) years. Vacancies resulting for reasons other than the expiration of the term shall be filled by the governor for the remainder of the term. In making appointments to the board, the governor shall strive to ensure that at least one (1) person appointed to serve on the board is at least sixty (60) years of age and that at least one (1) person appointed to serve on the board is a member of a racial minority.

SECTION 37. Tennessee Code Annotated, Section 68-211-111 is amended by deleting subsection (g) in its entirety and by substituting instead the following:

(g) The board shall hold at least six (6) regular meetings each calendar year at a place and time to be fixed by the board. The board has the authority of the municipal solid waste advisory committee. The board shall also meet at the request of the commissioner of environment and conservation, the chair of the board, or three (3) members of the board. Eight (8) members shall constitute a quorum, and a quorum may act for the board in all matters. The board shall select a chair from its members annually. The department of environment and conservation shall provide all necessary staff for the board.

SECTION 38. Tennessee Code Annotated, Section 68-215-112, is deleted in its entirety.

SECTION 39. Tennessee Code Annotated, Section 68-215-103 is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1) "Board" means petroleum underground storage tanks and solid waste disposal board created pursuant to Section 68-211-111;

SECTION 40. Tennessee Code Annotated, Section 69-7-309 is amended by deleting the section in its entirety and by substituting instead the following:

69-7-309. From time to time, the commissioner may appoint a technical advisory committee that shall advise the commissioner on matters related to the state's water resources. The commissioner may determine the identity and number of committee members and the term during which the committee will

operate. The committee may be composed of representatives of federal, state, and local agencies with relevant authority and representatives of appropriate private organizations, including not-for-profit organizations. No member of the committee is entitled to a salary for duties performed as a member of the committee. No member is entitled to reimbursement for travel or other necessary expenses incurred in the performance of the member's official duties.

SECTION 41. Tennessee Code Annotated, Section 4-24-101 is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) The commission shall be attached to the department of commerce and insurance, division of fire prevention, and the division shall serve as a fiscal agent for the commission.

SECTION 42. Tennessee Code Annotated, Section 4-24-107 is amended by deleting subdivision (4) in its entirety and by substituting instead the following:

(4) Employ a director for the purpose of full implementation of this chapter;

SECTION 43. Tennessee Code Annotated, Title 4, Chapter 24, is amended by adding the following language as a new, appropriately designated section:

4-24-113.

(a) Notwithstanding any law to the contrary, the director of the division of fire prevention shall:

(1) Act as chief administrative officer for the commission;

(2) Employ all consultants, investigators, inspectors, legal counsel and other personnel necessary to staff and carry out the functions of the commission, and assign the personnel in a manner designed to assure their most efficient use;

(3) Provide office space and necessary quarters for the commission;

(4) Maintain a central filing system for official records and documents of the commission;

(5) Promulgate rules and regulations for all administrative functions and activities of the commission;

(6) Enforce all regulations promulgated by the commission;
(7) Collect and account for all fees prescribed to be paid to the commission, and, unless otherwise prescribed by law, deposit the fees in the state treasury, and the commissioner of finance and administration shall make allotments out of the general fund as may be necessary to defray the expenses of the commission as provided by law; and

(8) Perform other duties the commissioner prescribes, or as prescribed by law.

(b) In providing the administrative functions the director shall consult with the commission, but the decision of the director in such matters shall be conclusive, except as otherwise directed by the commissioner.

SECTION 44. Tennessee Code Annotated, Section 62-11-106(2), is amended by deleting subdivision (B) in its entirety and by substituting instead the following:

(B)

(i) Notwithstanding any other law to the contrary, all moneys collected pursuant to this chapter shall be deposited in the state treasury in a separate fund to be known as the "locksmith and private security regulatory fund".

(ii) Disbursements from the fund shall be made solely for the purpose of defraying expenses incurred in the implementation and enforcement of the Locksmith Licensing Act of 2006 and the Private Protective Services Licensing and Regulatory Act.

(iii) No such expenses shall be payable from the general fund of the state.

(iv) Any part of the locksmith and private security regulatory fund remaining at the end of a fiscal year shall not revert to the general fund, but shall be carried forward to defray future expenses until all the funds are expended in accordance with the Locksmith Licensing Act of 2006 and the Private Protective Services Licensing and Regulatory Act.

SECTION 45. Tennessee Code Annotated, Section 62-35-137 is amended by deleting the section in its entirety and by substituting instead the following:

62-35-137.

(a) Notwithstanding any other law to the contrary, all moneys collected pursuant to this chapter shall be deposited in the state treasury in a separate fund to be known as the "locksmith and private security regulatory fund".

(b) Disbursements from the fund shall be made solely for the purpose of defraying expenses incurred in the implementation and enforcement of the Locksmith Licensing Act of 2006 and the Private Protective Services Licensing and Regulatory Act.

(c) No such expenses shall be payable from the general fund of the state.

(d) Any part of the locksmith and private security regulatory fund remaining at the end of a fiscal year shall not revert to the general fund, but shall be carried forward to defray future expenses until all the funds are expended in accordance with the Locksmith Licensing Act of 2006 and the Private Protective Services Licensing and Regulatory Act.

SECTION 46. Tennessee Code Annotated, Section 4-29-235(a), is amended by adding the following new subdivisions thereto:

() Statewide community services agency, created by Section 18 of this act;

() Tennessee board of water quality, oil and gas, created by § 69-3-104; and

() Underground storage tanks and solid waste disposal control board, created by § 68-211-111;

SECTION 47. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 48. All rules, regulations, orders, and decisions heretofore issued or promulgated by any of the boards or commissions, which this act terminates or merges into another board or commission, shall remain in full force and effect. In the case of the boards or commissions that are merged with another board or commission by this act, all final rules, regulations, orders, and decisions together with any matters that are pending on the effective date of this act shall hereafter be administered, enforced, modified, or rescinded in accordance with the law applicable to the continuing board or commission.

SECTION 49. Section 18 of this act and the sunrise provision in Section 46 pertaining to the statewide community services agency shall take effect July 1, 2012, the

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public welfare requiring it. All other sections of this act shall take effect October 1, 2012, the public welfare requiring it.

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Harrison moved adoption of Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 2387 by deleting Section 22 in its entirety and by substituting instead the following:

SECTION 22. Tennessee Code Annotated, Section 49-11-203, is amended by deleting subsection (d) in its entirety and by substituting instead the following:

(d)

(1) In carrying out the purpose of the council, the governor may appoint an executive director to support the administrative functions of the council.

(2) The executive director serves at the pleasure of the governor.

(3) The governor shall set the salary for the executive director.

(4) The executive director is authorized to obtain the services of professional, technical and clerical personnel necessary to carry out the council's functions under this part and to contract for services necessary for the council to carry out its evaluation functions.

(5) The expenditure of funds paid pursuant to (d)(4) is to be determined solely by the state council, and these funds may not be diverted or reprogrammed for any other purpose by any state board, agency, or individual. The council is administratively attached to the department of education to receive funds pursuant to either federal or state law and to act as its fiscal agent for purposes of disbursement accounting and auditing.

On motion, Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Fitzhugh moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 2387 By deleting Sections 21 and 22 in their entirety.

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Rep. McCormick moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes 59
Noes 35

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Dean, Dennis, Eldridge, Evans, Faison, Floyd, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Powers, Ragan, Ramsey, Rich, Roach, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 59

Representatives voting no were: Armstrong, Bass, Brown, Camper, Cooper, Curtiss, DeBerry J, DeBerry L, Elam, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Hill, Jones, Kernell, Miller L, Moore, Naifeh, Odom, Parkinson, Pitts, Pruitt, Richardson, Sanderson, Shaw, Shepard, Sontany, Stewart, Tidwell, Tindell, Towns, Turner M, Windle -- 35

Rep. Fitzhugh moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND House Bill No. 2387 By deleting Sections 15 and 16 in their entireties.

Rep. McCormick moved that Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes 60
Noes 35

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Dean, Dennis, Dunn, Elam, Eldridge, Faison, Floyd, Forgety, Gotto, Halford, Hall, Hawk, Haynes, Hensley, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 60

Representatives voting no were: Armstrong, Bass, Brown, Camper, Cooper, Curtiss, DeBerry J, DeBerry L, Evans, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Hill, Jones, Kernell, Miller L, Moore, Naifeh, Odom, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Tindell, Towns, Turner M, Williams K, Windle -- 35

Rep. Fitzhugh moved adoption of Amendment No. 5 as follows:

Amendment No. 5

AMEND House Bill No. 2387 By deleting Section 17 in its entirety.

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Rep. McCormick moved that Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes 58
Noes..... 37

Representatives voting aye were: Brooks H, Brooks K, Butt, Carr, Casada, Cobb, Dennis, Dunn, Elam, Eldridge, Faison, Floyd, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 58

Representatives voting no were: Alexander, Armstrong, Bass, Brown, Campbell, Camper, Coley, Cooper, Curtiss, DeBerry J, DeBerry L, Evans, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Hill, Jones, Kernell, Miller L, Moore, Naifeh, Odom, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Tindell, Towns, Turner M, Windle -- 37

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on the tabling motion to Amendment No. 5 to **House Bill No. 2387** and have this statement entered in the Journal: Rep(s). Dean.

REGULAR CALENDAR, CONTINUED

Rep. Fitzhugh moved adoption of Amendment No. 6 as follows:

Amendment No. 6

AMEND House Bill No. 2387 By deleting Section 20 in its entirety.

Rep. McCormick moved that Amendment No. 6 be tabled, which motion prevailed by the following vote:

Ayes 63
Noes..... 33

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 63

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Representatives voting no were: Armstrong, Bass, Brown, Camper, Curtiss, DeBerry J, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Hensley, Jones, Kernell, Miller L, Moore, Naifeh, Odom, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Tidwell, Tindell, Towns, Turner M, Williams K, Windle -- 33

Rep. McCormick moved that **House Bill No. 2387**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	66
Noes.....	26
Present and not voting.....	2

Representatives voting aye were: Alexander, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Parkinson, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 66

Representatives voting no were: Armstrong, Brown, Camper, Curtiss, DeBerry J, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Hill, Jones, Kernell, Miller L, Moore, Naifeh, Odom, Pitts, Pruitt, Richardson, Sontany, Stewart, Towns, Turner M, Windle -- 26

Representatives present and not voting were: Bass, Cooper -- 2

A motion to reconsider was tabled.

***House Joint Resolution No. 808** -- General Assembly, Statement of Intent or Position
- Urges the department of education to establish a green cleaning policy for adoption by schools. by *Gilmore.

Rep. Gilmore moved adoption of **House Joint Resolution No. 808**, which motion prevailed by the following vote:

Ayes	66
Noes.....	26
Present and not voting.....	1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Campbell, Camper, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dunn, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Johnson C, Jones, Kernell, Lollar, Maggart, Matheny, McCormick, McDaniel, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pruitt, Ramsey, Richardson, Roach, Sanderson, Sargent, Shaw, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Williams K, Windle, Womick, Madam Speaker Harwell -- 66

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Representatives voting no were: Butt, Carr, Dennis, Elam, Eldridge, Evans, Faison, Gotto, Haynes, Hensley, Holt, Hurley, Johnson P, Keisling, Lundberg, Marsh, Matlock, Miller D, Pody, Powers, Rich, Sexton, Watson, Weaver, White, Williams R -- 26

Representatives present and not voting were: Ragan -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on **House Joint Resolution No. 808** and have this statement entered in the Journal: Rep(s). Lollar.

REGULAR CALENDAR, CONTINUED

***House Bill No. 182** -- Tort Liability and Reform - As introduced, enacts certain tort reforms. - Amends TCA Title 20; Title 22; Title 29 and Title 63. by *Sargent, *Montgomery. (SB250 by *Overbey)

Further consideration of House Bill No. 182 previously considered on April 5, 2012, at which time it was reset for today's Regular Calendar.

Rep. Montgomery moved that House Bill No. 182 be passed on third and final consideration.

Rep. Watson moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 182 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, is amended by adding the following as a new part:

29-34-401.

For purposes of this part:

(1) “Ice-skating rink” means a facility that is designed for ice-skating and that is used by the public for recreational or competitive ice-skating;

(2) “Operator” mean a person who owns, controls, or has operational responsibility for an ice-skating facility, or the agent of that person; and

(3) “Spectator” means an individual who is present at an ice-skating rink to observe ice-skating.

29-34-402.

(a) An operator shall not be liable for damage or injuries to an ice-skater or spectator where the operator complies with the requirements of § 29-34-403.

(b) A person who participates as an ice-skater at an ice-skating rink operated in accordance with the requirements of § 29-34-403 assumes the risk of injury or damage that may occur as a result of that participation and shall comply with the requirements of § 29-34-404.

(c) A spectator at an ice-skating rink operated in accordance with the requirements of § 29-34-403 assumes the risk of injury or damage that may occur as a result of being a spectator and shall comply with the requirements of § 29-34-404.

29-34-403.

(a) An operator shall:

(1) Provide at least one (1) individual to act as a rink monitor for approximately every two hundred (200) skaters at any given time that ice-skating is open to the public;

(2) Conduct periodic inspections of the ice, skating equipment and all other equipment in a manner that will ensure a safe operating condition;

(6) Comply with all guidelines for ice-skating rinks endorsed or recommended by the Ice Skating Institute;

(7) Post duties and expectations of skaters and spectators as prescribed by this chapter in conspicuous places;

(8) Maintain liability insurance coverage of at least one million dollars (\$1,000,000) per single limit for personal-injury death or property damage; and

(9) Maintain accurate records and daily logs for the ice-skating facility.

(b) The rink monitor shall:

(1) Wear appropriate attire as to identify the individual as a rink monitor;

(2) Direct and supervise skaters and spectators;

(3) Watch for and remove in a timely manner any foreign objects that may have fallen off the ice surface; and

(4) Inspect and maintain, or request maintenance of, the ice surface, floors, railings, boards, and walls surrounding the surface in a manner that will ensure the good condition of those areas.

29-34-404.

(a) Skaters in an ice-skating rink shall:

(1) Comply with all posted signs and warnings that relate to the skater's behavior while participating in ice-skating at the ice skating rink;

(2) Obey all instructions or warnings given by the rink monitor, rink personnel or rink operator;

(3) Maintain reasonable control over skate speed and direction at all times;

(4) Be aware that there are other skaters and objects on the ice surface and take reasonable care to avoid collision with those skaters or objects; and

(5) Be aware that ability and skill levels of ice-skaters vary and each individual must take reasonable care to ice-skate within the individual's personal abilities.

(b) Ice-skaters shall not act in a manner that may cause injury or damage to others or their property.

(c) Spectators shall comply with each posted sign or warning that relates to the behavior of the spectator.

29-34-405.

(a) This part shall not limit the liability of one (1) ice-skater or spectator to another ice-skater or spectator.

(b) This part shall not apply where an operator engages in behavior that amounts to gross negligence, or willful or wanton conduct.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Montgomery moved that **House Bill No. 182**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	75
Noes.....	15
Present and not voting.....	2

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Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Carr, Casada, Cobb, Coley, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Harrison, Hawk, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shipley, Sontany, Sparks, Swann, Tidwell, Tindell, Todd, Watson, Weaver, White, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 75

Representatives voting no were: Armstrong, Campbell, Cooper, Curtiss, Favors, Fitzhugh, Hardaway, Haynes, Kernell, Parkinson, Richardson, Shaw, Stewart, Turner M, Williams K -- 15

Representatives present and not voting were: Brown, Towns -- 2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **House Bill No. 182** and have this statement entered in the Journal: Rep(s). Camper.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on **House Bill No. 182** and have this statement entered in the Journal: Rep(s). Moore.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2608** -- Short Term Loans and Lenders - As introduced, requires certain pawnbrokers and scrap jewelry and metal dealers to be bonded. - Amends TCA Title 38 and Title 45. by *Hardaway. (SB2811 by *Tracy)

Further consideration of House Bill No. 2608 previously considered on March 29, 2012 and April 5, 2012, at which time it was reset for today's Regular Calendar.

Rep. Hardaway requested that House Bill No. 2608 be moved to the heel of the Calendar.

***House Bill No. 2903** -- Alcoholic Beverages - As introduced, authorizes Norris Landing Marina in Claiborne County to be issued a license as a premier type tourist resort. - Amends TCA Section 57-4-102 and Section 57-4-102. by *Sargent, *Tidwell. (SB3117 by *Yager)

Further consideration of House Bill No. 2903 previously considered on April 2, 2012 and April 5, 2012, at which time it was reset for today's Regular Calendar.

Rep. Sargent moved that House Bill No. 2903 be reset for the Regular Calendar on April 19, 2012, which motion prevailed.

***House Bill No. 2459** -- Alcohol Offenses, Sales - As introduced, creates offense for person under 21 to enter establishment selling for off-premise consumption intoxicating liquors unless accompanied by a parent, legal guardian or spouse 21 years of age or older; creates offense for visibly intoxicated person to enter any such establishment. - Amends TCA Title 39, Chapter 14, Part 4; Title 39, Chapter 15, Part 4 and Title 57, Chapter 3. by *Eldridge, *Casada, *Faison, *Weaver, *Elam, *White, *Sparks, *Matlock, *Williams K, *Hardaway, *Kernell, *Shaw, *Miller L, *Dean. (SB2544 by *Massey, *Overbey)

Further consideration of House Bill No. 2459 previously considered on April 5, 2012, at which time the House withdrew Amendment(s) No(s). 1, adopted Amendment(s) No(s). 2 and 3 and it was reset for today's Regular Calendar.

Rep. Eldridge moved that House Bill No. 2459, as amended, be passed on third and final consideration.

Rep. Eldridge moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND House Bill No. 2459 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 57, Chapter 3, Part 4, is amended by adding the following as a new section:

57-3-413.

(a) A person may be charged with a violation of § 39-14-405, if the person is:

(1) Between the age of eighteen (18) and twenty-one (21);

(2) Visibly intoxicated; or

(3) Otherwise disruptive; and such person is asked by the owner or employee of an establishment that is a licensed as a retail package store pursuant to § 57-3-204 to leave the premises, and that person remains on the premises.

(b) If a person is a minor under the age of eighteen (18) and is asked by the owner or employee of an establishment that is a licensed as a retail package store pursuant to § 57-3-204 to leave the premises, and the minor remains on the premises, such minor commits a delinquent act.

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SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Eldridge moved that House Bill No. 2459, as amended, be reset for the Regular Calendar on April 16, 2012, which motion prevailed.

***House Bill No. 2766** -- Libraries - As introduced, requires CTAS to conduct a study of county librarians' salaries in this state as compared to those in states bordering this state; to recommend an appropriate minimum pay scale, if deemed necessary; and to submit the study to the state and local government committees on or before January 1, 2013. - Amends TCA Title 5; Title 6; Title 7; Title 8 and Title 10. by *Keisling. (SB2970 by *Tracy, *Burks, *Ford, *Marrero)

On motion, House Bill No. 2766 was made to conform with **Senate Bill No. 2970**; the Senate Bill was substituted for the House Bill.

Rep. Keisling moved that Senate Bill No. 2970 be passed on third and final consideration.

Rep. Ramsey moved that State and Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Keisling moved that **Senate Bill No. 2970** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	1
Present and not voting.....	1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Shaw, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

Representatives voting no were: Elam -- 1

Representatives present and not voting were: Sexton -- 1

A motion to reconsider was tabled.

***House Bill No. 3146** -- Police - As introduced, adds to definition of "police officer" for purposes of traffic control or regulation only a person who retired in good standing from being a

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commissioned, POST-certified law enforcement officer and who has notified the chief law enforcement officer. - Amends TCA Title 55 and Title 62. by *Moore, *Gotto, *Watson. (SB3602 by *Haynes)

On motion, House Bill No. 3146 was made to conform with **Senate Bill No. 3602**; the Senate Bill was substituted for the House Bill.

Rep. Moore moved that Senate Bill No. 3602 be passed on third and final consideration.

Rep. Ramsey moved that State and Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Parkinson moved the previous question, which motion prevailed.

Rep. Moore moved that **Senate Bill No. 3602** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

***House Bill No. 3280** -- Special License Plates - As introduced, authorizes issuance of Teamsters cultural license plates. - Amends TCA Title 55, Chapter 4. by *Moore. (SB3062 by *Barnes, *Ford, *Kyle, *Marrero)

On motion, House Bill No. 3280 was made to conform with **Senate Bill No. 3062**; the Senate Bill was substituted for the House Bill.

Rep. Moore moved that Senate Bill No. 3062 be passed on third and final consideration.

Rep. P. Johnson moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Hardaway moved the previous question, which motion prevailed.

Rep. Moore moved that **Senate Bill No. 3062** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	64
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Noes..... 10
Present and not voting..... 3

Representatives voting aye were: Alexander, Armstrong, Bass, Brown, Campbell, Camper, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dunn, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hill, Hurley, Johnson C, Jones, Keisling, Kernell, Matheny, McCormick, McDaniel, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ramsey, Richardson, Roach, Shaw, Sontany, Sparks, Stewart, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Williams K, Windle, Womick -- 64

Representatives voting no were: Dennis, Hensley, Holt, Johnson P, Marsh, Powers, Rich, Sanderson, Sexton, Shipley -- 10

Representatives present and not voting were: Carr, Gotto, Ragan -- 3

A motion to reconsider was tabled.

***House Bill No. 3062** -- Education - As introduced, requires virtual schools and education programs to maintain teacher-pupil ratios set by the state board of education and to provide the same length of time for learning opportunities as required for other schools, but allow a student to move at the student's own pace; allows technology access to be provided through computer labs; makes an online course a requirement for graduation from high school beginning with the students entering ninth grade in the 2013-2014 school year. - Amends TCA Title 49. by *Williams R. (SB2986 by *Burks)

Rep. R. Williams moved that House Bill No. 3062 be passed on third and final consideration.

Rep. Montgomery moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3062 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-1-104, is amended by adding the following language as a new, appropriately designated subsection:

() Any LEA operating a virtual school or virtual education program shall not exceed the teacher-pupil ratio for virtual schools set by the state board of education.

SECTION 2. Tennessee Code Annotated, Section 49-6-3004, is amended by adding the following language as a new, appropriately designated subsection:

() Any LEA operating a virtual school or virtual education program shall make available the same length of time for learning opportunities per

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academic year as required under this section to any student participating in its program. The LEA shall, however, also permit a student to move at the student's own pace. The student shall demonstrate mastery, competency and completion of a course or subject area to be given credit for the course or subject area. If a student successfully completes a course or grade level more than thirty (30) days before the end of the term, the student shall begin work in the next appropriate course or grade. The academic program shall continue until the end of the academic year.

SECTION 3. Tennessee Code Annotated, Section 49-16-206, is amended by deleting subdivisions (2) and (3) in their entireties and by substituting instead the following:

(2) Provide materials and access to necessary technology such as computer, printer and internet connection used for school work, at minimum, through a physical computer lab that is available to the student through regularly scheduled times.

SECTION 4. Section 1 of this act shall take effect upon becoming a law, the public welfare requiring it. All other sections of this act shall take effect July 1, 2012, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Montgomery moved adoption of Education Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 3062 By deleting in its entirety subdivision (2) from the amendatory language of Section 3 and by substituting instead the following:

(2) Ensure materials and access to necessary technology such as computer, printer and internet connection used for school work or, at minimum, through a physical computer lab that is available to the student through regularly scheduled times.

On motion, Education Committee Amendment No. 2 was adopted.

Rep. Montgomery moved the previous question, which motion prevailed.

Rep. R. Williams moved that **House Bill No. 3062**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	86
Noes.....	3
Present and not voting.....	2

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J,
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Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Johnson C, Johnson P, Jones, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 86

Representatives voting no were: Hurley, Naifeh, Towns -- 3

Representatives present and not voting were: Brown, Favors -- 2

A motion to reconsider was tabled.

***House Bill No. 3420** -- Dentists and Dentistry - As introduced, requires dentists and dental hygienists to show license on request to a patient; requires board of dentistry's annual report to the governor to be submitted by March 1 of each year. - Amends TCA Title 63, Chapter 5. by *Hill, *Ramsey. (SB3269 by *Tracy, *Ketron)

On motion, House Bill No. 3420 was made to conform with **Senate Bill No. 3269**; the Senate Bill was substituted for the House Bill.

Rep. Hill moved that Senate Bill No. 3269 be passed on third and final consideration.

Rep. Casada moved that Health and Human Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Casada moved adoption of Health and Human Resources Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 3269 By deleting the language " general supervision § 63-5-108(c)(5), must have actively practiced as a licensed dental hygiene for at least five (5) years and have practiced two thousand (2,000) hours in the preceding five (years) " from subdivision (d)(2) of the amendatory language of Section 3, as amended, and by substituting instead the following:

general supervision as authorized by § 63-5-108(c)(5), must have actively practiced as a licensed dental hygienist for at least five (5) years and have practiced two thousand (2,000) hours in the preceding five (5) years

On motion, Health and Human Resources Committee Amendment No. 2 was adopted.

Rep. Hill moved that **Senate Bill No. 3269**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

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Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 3765 -- Environment and Conservation, Department of - As introduced, authorizes the air pollution control board to issue TDEC commissioner authority to grant variances for certain open burnings and emissions testing requirements. - Amends TCA Section 68-201-118. by *Hill. (*SB3549 by *Crowe)

On motion, House Bill No. 3765 was made to conform with **Senate Bill No. 3549**; the Senate Bill was substituted for the House Bill.

Rep. Hill moved that **Senate Bill No. 3549** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 2895** -- Children - As introduced, identifies factors to evaluate the best interest of the child in juvenile court proceedings. - Amends TCA Title 36; Title 37; Title 39 and Title 40. by *Jones S. (SB2892 by *Berke)

Rep. S. Jones moved that House Bill No. 2895 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Children and Family Affairs Committee Amendment No. 1 as follows:

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Amendment No. 1

AMEND House Bill No. 2895 by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-1-406, is amended by adding the following as new subsection:

() If the report of child abuse alleges physical abuse, it shall be in the best interest of the child that the child be referred to a child advocacy center or that the investigation be conducted by a child protective services investigator who is adequately trained in investigating physical abuse reports. Under no circumstances shall the investigation be performed by a probation officer previously assigned to the child.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring.

On motion, Children and Family Affairs Committee Amendment No. 1 was adopted.

Rep. Parkinson moved the previous question, which motion prevailed.

Rep. S. Jones moved that **House Bill No. 2895**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 2977** -- Conservation - As introduced, extends from 60 to 90 days notice requirement for dissolution of county conservation boards by action of the commissioner of environment and conservation. - Amends TCA Title 11. by *Matheny. (SB2852 by *Yager, *Overbey)

On motion, House Bill No. 2977 was made to conform with **Senate Bill No. 2852**; the Senate Bill was substituted for the House Bill.

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Rep. Matheny moved that Senate Bill No. 2852 be passed on third and final consideration.

Rep. Lollar moved that Conservation and Environment Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Matheny moved that **Senate Bill No. 2852** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 3758 -- Privacy, Confidentiality - As introduced, classifies consumer specific energy usage data as a private record. - Amends TCA Title 10, Chapter 7, Part 5. by *Sontany. (*SB3608 by *Haynes, *Southerland)

On motion, House Bill No. 3758 was made to conform with **Senate Bill No. 3608**; the Senate Bill was substituted for the House Bill.

Rep. Sontany moved that Senate Bill No. 3608 be passed on third and final consideration.

Rep. Lollar moved that Conservation and Environment Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sontany moved that **Senate Bill No. 3608** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh,

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Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

Representatives voting no were: Hurley -- 1

A motion to reconsider was tabled.

***House Bill No. 2724** -- Drugs, Prescription - As introduced, revises the list of prescribed medication for patients at a pain management clinic. - Amends TCA Title 63, Chapter 1. by *Ramsey. (SB2587 by *Yager)

On motion, House Bill No. 2724 was made to conform with **Senate Bill No. 2587**; the Senate Bill was substituted for the House Bill.

Rep. Ramsey moved that Senate Bill No. 2587 be passed on third and final consideration.

Rep. Hill moved that Health and Human Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Ramsey moved that **Senate Bill No. 2587** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sexton, Shaw, Shipley, Sontany, Sparks, Stewart, Swann, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives voting no were: Windle -- 1

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Reps. Harrison and Hawk voted “aye” on **Senate Bill No. 2587**.

REQUEST TO CHANGE VOTE

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Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on **Senate Bill No. 2852** and have this statement entered in the Journal: Rep(s). Stewart.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2508** -- Sunset Laws - As introduced, extends the department of human services, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Cobb, *Shipley, *Rich. (SB2462 by *Bell)

On motion, House Bill No. 2508 was made to conform with **Senate Bill No. 2462**; the Senate Bill was substituted for the House Bill.

Rep. Cobb moved that Senate Bill No. 2462 be passed on third and final consideration.

Rep. Rich moved that Government Operations Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Cobb moved that **Senate Bill No. 2462** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	1

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

Representatives voting no were: Armstrong -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “no” to “aye” on **Senate Bill No. 2462** and have this statement entered in the Journal: Rep(s). Armstrong.

REGULAR CALENDAR, CONTINUED

***Senate Bill No. 3751** -- Education, Higher - As introduced, requires public institutions of higher education to report annually to the education committees of the senate and the house on the filling of positions at the institutions. - Amends TCA Title 49, Chapter 7, Part 1. by *Tracy. (HB3705 by *McCormick)

Further consideration of Senate Bill No. 3751 previously considered on April 5, 2012, April 9, 2012 and April 11, 2012, at which time the House substituted the Senate Bill for the House Bill, withdrew Amendment(s) No(s). 1 and 2 and it was reset for today's Regular Calendar.

Rep. McCormick moved that Senate Bill No. 3751 be passed on third and final consideration.

Rep. Shaw, seconded by Rep. McCormick, moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 3751 By deleting the language "seven (7) business days" in the amendatory language of Section 1 and by substituting instead the language "fifteen (15) calendar days".

On motion, Amendment No. 3 was adopted.

Rep. B. Cooper moved the previous question, which motion prevailed.

Rep. McCormick moved that **Senate Bill No. 3751**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	79
Noes.....	12

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Gilmore, Gotto, Halford, Hall, Harrison, Hawk, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shipley, Sparks, Swann, Tidwell, Tindell, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 79

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Representatives voting no were: Armstrong, Fitzhugh, Hardaway, Harmon, Haynes, Pitts, Richardson, Sontany, Stewart, Towns, Turner M, Windle -- 12

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 3751** and have this statement entered in the Journal: Rep(s). Favors.

REGULAR CALENDAR, CONTINUED

Senate Bill No. 1688 -- Schools, Charter - As introduced, requires public charter school's annual renewal application to include the number of students who attended the school in the most recently completed academic year and the schools that those students attended prior to enrolling at the charter school. - Amends TCA Title 49. by *Faulk, *McNally, *Overbey. (*HB1970 by *Swann, *Hardaway)

Further consideration of Senate Bill No. 1688 previously considered on April 11, 2012, at which time the House substituted the Senate Bill for the House Bill, withdrew Amendment(s) No(s). 1 and 2 and it was reset for today's Regular Calendar.

BILL HELD ON DESK

Rep. Swann moved that Senate Bill No. 1688 be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 3540** -- Schools, Charter - As introduced, regulates charter schools' relationships with foreign entities and the use of non-immigrant foreign workers by charter schools. - Amends TCA Title 49, Chapter 13. by *Matheny, *Brooks K, *Forgety, *Powers, *Ragan, *Williams R, *Dunn, *Carr. (SB3345 by *Ketron, *Summerville, *Tate, *Tracy, *Crowe)

Further consideration of House Bill No. 3540 previously considered on today's Calendar.

On motion, House Bill No. 3540 was made to conform with **Senate Bill No. 3345**; the Senate Bill was substituted for the House Bill.

Rep. Matheny moved that Senate Bill No. 3345 be passed on third and final consideration.

Rep. Montgomery moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

THURSDAY, APRIL 12, 2012 – SEVENTY-SECOND LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Montgomery moved that Education Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Matheny moved that Senate Bill No. 3345 be reset for the Regular Calendar on April 16, 2012, which motion prevailed.

***House Bill No. 2608** -- Short Term Loans and Lenders - As introduced, requires certain pawnbrokers and scrap jewelry and metal dealers to be bonded. - Amends TCA Title 38 and Title 45. by *Hardaway. (SB2811 by *Tracy)

Further consideration of House Bill No. 2608 previously considered on today's Calendar.

Rep. Hardaway moved that House Bill No. 2608 be reset for the Regular Calendar on April 16, 2012, which motion prevailed.

UNFINISHED BUSINESS

BILL RECALL

Rep. McCormick moved that House Joint Resolution No. 891 be recalled from the Senate, which motion prevailed.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **Senate Joint Resolution No. 629** and **House Bill No. 3851** be heard in the State and Local Government Committee next week.

Without objection, it was so ordered.

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on April 16, 2012:

House Bill No. 2215: by Rep. Casada

House Bill No. 3009: by Rep. Cobb

RULES SUSPENDED

Rep. Fitzhugh moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 785 out of order, which motion prevailed.

**THURSDAY, APRIL 12, 2012 – SEVENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

Senate Joint Resolution No. 785 -- Memorials, Public Service - Senator Eric Stewart.
by *Finney L, *Kyle, *Berke, *Marrero, *Burks, *Herron, *Tate, *Henry, *Haynes, *Harper, *Ford,
*Barnes.

On motion of Rep. Fitzhugh, the resolution was concurred in.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as
sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 2260 Rep(s). B. Cooper as prime sponsor(s).

House Bill No. 2286 Rep(s). Eldridge as prime sponsor(s).

House Bill No. 2363 Rep(s). Hurley as prime sponsor(s).

House Bill No. 2459 Rep(s). Lundberg as prime sponsor(s).

House Bill No. 2725 Rep(s). Evans as prime sponsor(s).

House Bill No. 3394 Rep(s). Sexton and Eldridge as prime sponsor(s).

House Bill No. 3429 Rep(s). Sexton as prime sponsor(s).

House Bill No. 3431 Rep(s). Sexton as prime sponsor(s).

House Bill No. 3540 Rep(s). D. Miller, Weaver and Holt as prime sponsor(s).

House Bill No. 3651 Rep(s). Harrison, Swann and Tindell as prime sponsor(s).

House Bill No. 3884 Rep(s). Todd, Parkinson, L. Miller and J. Turner as prime
sponsor(s).

ENROLLED BILLS

April 12, 2012

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have
carefully compared House Resolution(s) No(s). 241; and find same correctly enrolled and ready
for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk

SIGNED

April 12, 2012

**THURSDAY, APRIL 12, 2012 – SEVENTY-SECOND LEGISLATIVE DAY UNOFFICIAL
VERSION**

The Speaker announced that she had signed the following: House Resolution(s) No(s). 241.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK
April 12, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 2237, 2281, 2295, 2296, 2329, 2378, 2456, 2505, 2544, 2612, 2794, 2806, 2861, 2961, 2978, 3039, 3214, 3255, 3323, 3338, 3443, 3505, 3539, 3548, 3570, 3581, 3717, 3792 and 3863; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENROLLED BILLS
April 12, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 2384, 2442, 2453, 2645, 2986, 3746 and 3828; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
April 12, 2012**

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 68, 673, 1447, 2230, 2237, 2313, 2413, 2671, 2678, 2714, 2718, 2723, 2742, 2796, 2821, 2838, 2916, 2976, 2982, 2987, 3424, 3604 and 3627.

**ENGROSSED BILLS
April 12, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 912 and 913.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 12, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 853, 854, 855, 856, 857, 858, 859, 861 and 862; concurred in by the Senate.

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RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 12, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2384, 2442, 2453, 2645, 2986, 3746 and 3828; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 12, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2551, 2559, 2609, 3032, 3580 and 3616; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 12, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2237, 2456, 2612, 2806, 2861, 2961, 2978, 3323, 3443, 3505, 3581, 3717 and 3792; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
April 12, 2012**

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 2551, 2559, 2609, 3032, 3580 and 3616.

**ENROLLED BILLS
April 12, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 853, 854, 855, 856, 857, 858, 859, 861 and 862; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
April 12, 2012**

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 853, 854, 855, 856, 857, 858, 859, 861 and 862.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENGROSSED BILLS
April 12, 2012**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 182, 2387, 2895, 3062, 3282, 3760 and 3761; also House Joint Resolution(s) No(s). 808;

BETTY KAY FRANCIS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 96

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

RECESS MOTION

On motion of Rep. McCormick, the House stood in recess until 5:00 p.m., Monday, April 16, 2012.